



# Implementation of the Ashlynnne Mike AMBER Alert in Indian Country Act of 2018

A Report to Congress

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# Foreword

When a child is abducted, every second counts—and every decision matters. AMBER Alert is an early warning system that activates an urgent bulletin to galvanize community support and bring a missing child home. It is a powerful, modern alarm bell.

And it works. As of April 1, 2019, 957 children had been successfully recovered through the AMBER Alert program.

AMBER, an acronym for America’s Missing: Broadcast Emergency Response, was launched as a legacy to 9-year-old Amber Hagerman, who was abducted near her home and violently murdered in 1996. In 2003, the Prosecutorial Remedies and Other Tools to End Exploitation of Children Today Act (Pub. L. 108–21), known as the PROTECT Act, codified the national AMBER Alert coordinator role within the U.S. Department of Justice. Today, I am honored to serve as National AMBER Alert Coordinator.

While the AMBER Alert program has seen many successful recoveries, in 2016, the tragic abduction and murder of 11-year-old Ashlynnne Mike from a Navajo reservation revealed dangerous gaps in the AMBER Alert system. To address these gaps and honor Ashlynnne’s memory, AMBER Alert was brought to Indian country through the passage of the Ashlynnne Mike AMBER Alert in Indian Country Act (Pub. L. 115–166).

Since the law was passed, Congress has paved the way for tribes to access state AMBER Alert plans. This report provides Congress with an assessment of the readiness, education and training needs, technological challenges, and specific obstacles tribes encounter when integrating state or regional AMBER Alert communication plans. The report includes data obtained from surveying tribes and state AMBER Alert coordinators who have at least one federally recognized tribe within their state. Ultimately, the data show that while challenges still remain, immense progress has been made.

Although many tribes are already participating in their state AMBER Alert program, the Justice Department remains committed to ensuring that every Native American and Alaska Native child enjoys the protections afforded by the AMBER Alert program. They deserve no less.

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# Acknowledgments



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OJJDP would also like to acknowledge the many individuals who made significant contributions to the report by sharing their expertise, energy, and talents to ensure it provides a basis for understanding the unique challenges facing tribes and states in the effort to implement the Ashlyne Mike AMBER Alert in Indian Country Act (Pub. L. 115–166). Through the commitment of these individuals to addressing these issues, perseverance in preparing this content, and dedication to the implementation of the Ashlyne Mike AMBER Alert in Indian Country Act, this report will be vital to the future of the AMBER Alert program in Indian country.





# Executive Summary



The Ashlynnne Mike AMBER Alert in Indian Country Act (Pub. L. 115–166) amends the PROTECT Act (Pub. L. 108–21) to reauthorize the AMBER Alert grant program. The legislation calls for a report to Congress with an assessment of the readiness, education and training needs, technological challenges, and specific obstacles encountered by tribes in the integration of state or regional AMBER Alert communication plans.

This report includes a national assessment, conducted by the U.S. Department of Justice through the Office of Juvenile Justice and Delinquency Prevention’s (OJJDP’s) AMBER Alert Training and Technical Assistance program, that consists of two separate surveys. The first survey, National Survey of Federally Recognized Tribes, focused on responses directly from federally recognized American Indian tribes. The second survey, National Survey of State AMBER Alert Coordinators, includes feedback from state AMBER Alert coordinators who have at least one federally recognized tribe within their state.

The National Survey of Federally Recognized Tribes involved direct outreach to federally recognized American Indian tribes throughout a 3-week period in November 2018. Feedback was received from

100 tribes located in 26 states for inclusion in this report. The results of the survey, the largest ever undertaken to determine the extent to which tribal communities have adopted the AMBER Alert plan, revealed that 76 of the 100 responding tribes currently participate in their state AMBER Alert plan. However, it also demonstrated that there is much more work to be done as it relates to their readiness and identified education and training needs, technological challenges, and other specific obstacles encountered by these tribes in the integration of their state or regional AMBER Alert plan.

The National Survey of State AMBER Alert Coordinators included specific outreach to 34 state AMBER Alert coordinators (AACs) from states with at least one federally recognized tribe. Each state AAC was surveyed about challenges tribes may face in the integration of tribal and state AMBER Alert plans. The findings from this survey demonstrated the willingness of state programs to collaborate with tribes in the integration of tribal and state AMBER Alert plans. Of the 33 state AACs who responded and participated in the survey, all indicated that each qualified, federally recognized tribe in their state was authorized to participate in the state AMBER Alert plan.

The following key findings include results from the 100 tribes across 26 states that completed the National Survey of Federally Recognized Tribes and from 33 state AACs who participated in the National Survey of State AMBER Alert Coordinators.

## National Survey of Federally Recognized Tribes—Key Findings

- Twenty-five tribes reported having a tribal alerting system that can be used to disseminate an alert within tribal boundaries in the event of a child abduction; however, these systems are not specific to AMBER Alert and do not coordinate with the state or regional AMBER Alert plan.
- Seventy-five tribes reported they did have an emergency plan or checklist to be used in the event of a child abduction.
- Eighty-six tribes reported that their tribe is authorized to take part in the state AMBER Alert plan; however, of those 86 tribes, 76 (88.4 percent) reported they currently participate (through the adoption of state AMBER Alert criteria) in their state AMBER Alert plan. The 10 remaining tribes have opted not to adopt the state AMBER Alert criteria.
- Forty-seven tribes reported their tribal community had received training on the AMBER Alert plan.
- Fifty-three tribes reported they had not received training on the state AMBER Alert plan.
- Nineteen tribes indicated they do not know how to access their state’s AMBER Alert plan.
- Eighteen tribes stated they do not have agreements in place with their state or regional AMBER Alert plan to allow access.

- Ten tribes stated they lacked technology infrastructure, including software and computers necessary for integration with the state or regional AMBER Alert plan.

## National Survey of State AMBER Alert Coordinators—Key Findings

Twenty-six (78.8 percent) of the 33 state AACs surveyed indicated that the following challenges prevented tribes from accessing the state AMBER Alert plan:

- Thirteen (50 percent) AACs cited a lack of training within the tribal community on the AMBER Alert plan as a major obstacle to integration.
- Ten (38.5 percent) AACs indicated that tribes in their state do not know how to access the state AMBER Alert plan.
- Nine (34.6 percent) AACs cited the tribes’ lack of infrastructure (i.e., radio, broadcasting, road signs, etc.) to support accessing the state AMBER Alert plan as a challenge.
- Eight (30.8 percent) AACs stated that tribes do not have a memorandum of understanding or other agreement with the state AMBER Alert plan to allow access.
- Six (23.1 percent) AACs identified a shortage of staffing to support the AMBER Alert plan within tribal communities in their state.
- Six (23.1 percent) AACs pointed to the tribes’ lack of technological resources (i.e., software, computers) as a challenge to integrating with the state AMBER Alert plan.
- Three (11.5 percent) AACs indicated that tribes in their state likely do not have contact information for their state AAC.

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# Introduction



On May 2, 2016, 11-year-old Ashlynn Mike and her 9-year-old brother, Ian, were abducted after school on the Navajo Reservation near their home in Shiprock, NM. Hours after the abduction, Ian was able to escape his abductor and subsequently would be found wandering in the desert, looking for help. Although her parents began frantic outreach efforts to find Ashlynn, a series of misunderstandings about the AMBER Alert process and jurisdictional hurdles delayed the issuance of an AMBER Alert until the following day, when Ashlynn was discovered brutally murdered in a remote area of the Navajo Reservation.

Ashlynn's case revealed dangerous gaps in public safety preparedness and coordination needed to find missing and abducted children, heightening the awareness of legislators and others that these serious obstacles faced by the Navajo Nation were also shared by tribes across the country.

As a legacy to Ashlynn, AMBER Alert was brought to Indian country through the passage and signing into law of the Ashlynn Mike AMBER Alert in Indian Country Act in April 2018, nearly 2 years after Ashlynn was abducted. Since the law was

passed, Congress has paved the way for tribes to access state AMBER Alert plans that have saved 957 children as of April 2019. Tribes and states are now seeking guidance on the implementation of the Ashlynn Mike AMBER Alert in Indian Country Act (Pub. L. 115–166).

The Ashlynn Mike AMBER Alert in Indian Country Act (see appendix A) amends the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act (Pub. L. 108–21), known as the PROTECT Act, to allow for grants to states and federally recognized Indian tribes to:

- Develop or enhance programs and activities for the support of AMBER Alert communications plans.
- Integrate tribal AMBER Alert systems into state AMBER Alert systems.
- Integrate state or regional AMBER Alert communication plans with an Indian tribe.
- Allow the waiver of the matching funds requirement for grants awarded to Indian tribes that do not have sufficient funds to comply with the matching requirement.

This report provides Congress with an assessment of the readiness, education and training needs, technological challenges, and specific obstacles encountered by tribes in the integration of state or regional AMBER Alert communication plans. The report presents background information on the AMBER Alert program, including the role of the U.S. Department of Justice (DOJ) in supporting state and local law enforcement, previous efforts by DOJ to support AMBER Alert in Indian country, the methodology used in conducting the assessment, and recommendations for next steps in continuing to expand tribes' access to the AMBER Alert system.

## History of the AMBER Alert Program

The AMBER Alert system began in Dallas-Fort Worth, TX, when broadcasters partnered with local law enforcement to develop an early warning system to help find abducted children. AMBER, an acronym for America's Missing: Broadcast Emergency Response, launched as a legacy to 9-year-old Amber Hagerman. Amber was abducted while she was riding her bicycle near her home in Arlington, TX, in January 1996. Days later, her body was located near a creek in Arlington; she had been violently murdered. As a result of this case and the public's response, other states and communities began implementing their own AMBER Alert plans, and the concept was replicated across the nation.

By 2002, when the first White House Conference on Missing, Exploited, and Runaway Children took place, AMBER Alert had become a national effort. In conjunction with the conference, the President asked the Attorney General to appoint the first national AMBER Alert coordinator.

## PROTECT Act

The PROTECT Act was signed into law on April 30, 2003. The Act strengthened law enforcement's ability to prevent, investigate, prosecute, and punish violent crimes committed against children. The Act also codified the previously established national AMBER Alert coordinator role within DOJ and led to the development of a national AMBER Alert strategy. The Assistant Attorney General for DOJ's Office of Justice Programs was then assigned responsibility for this program.

The law tasked the national AMBER Alert coordinator with helping to create a national AMBER Alert network, supporting the development of state AMBER Alert plans, helping to eliminate geographic gaps in AMBER Alert networks, providing regional AMBER Alert network coordination, and establishing guidance on criteria for issuing an AMBER Alert.

The AMBER Alert plans formed a nationwide plan that allowed law enforcement agencies across the country to alert the public when a child was abducted. These AMBER Alert plans, however, did not extend to tribal communities. By 2009, all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands had AMBER Alert plans in place. Subsequently, the AMBER Alert plan was adopted in some tribal communities, the Canadian provinces, and throughout Mexico. As the network continues to grow, it has expanded to both South America and Central America.

## AMBER Alert Criteria

The AMBER Alert program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies, and the wireless industry to

activate an urgent bulletin in the most serious child abduction cases. The goal of an AMBER Alert is to instantly galvanize the entire community to assist in the search for and the safe recovery of the child. In 2004, DOJ provided guidance to law enforcement, broadcasters, transportation officials, and the public on AMBER Alert activation criteria. The resulting guidance was designed to create a uniform, interoperable network of plans across the country and to minimize potentially deadly delays due to confusion among varying jurisdictions.

DOJ's recommended criteria for issuing AMBER Alerts are as follows (most state plans adhere closely to these guidelines):

- Law enforcement must confirm that an abduction has taken place.
- The law enforcement agency believes the child is in imminent danger of serious bodily injury or death.
- There is enough descriptive information about the victim and the abduction for law enforcement to issue an AMBER Alert to assist in the recovery of the child.
- The child must be 17 years old or younger.
- The child's name and other critical data elements, including the Child Abduction (CA) flag, have been entered into the National Crime Information Center (NCIC) system.

## State AMBER Alert Coordinators

With the presence of AMBER Alert plans in all 50 states and the District of Columbia, the role of the state AAC is vital to the success of the AMBER Alert program. AACs are committed to ensuring their AMBER Alert plan is working effectively while contributing to a larger nationwide network of successful AMBER Alert programs.

AACs collaborate with law enforcement and other key stakeholders on their states' AMBER Alert plans. Once law enforcement determines an abduction of a child (or children) has occurred, they must ensure the case meets their state's AMBER Alert criteria for activation.

In many states, the AAC makes a final determination on the issuance of the AMBER Alert; in other jurisdictions, the investigating law enforcement agency may issue the AMBER Alert. Regardless of who has final activation authority, all cases must meet the criteria outlined in their state or regional AMBER Alert plans. If met, the AAC and/or person with activation authority issues the AMBER Alert. As a result, a broadcast of the AMBER Alert is sent to cell phones, radio, television, roadway signs, and a network of secondary distributions operated by the National Center for Missing & Exploited Children (NCMEC). Secondary distribution includes digital signage, hotel chains, Internet service providers, apps, and other technologies. A complete list of secondary distributors is available at [www.amberalert.gov/secondary\\_distribution.htm](http://www.amberalert.gov/secondary_distribution.htm).

The work of state AACs is essential to ensuring an AMBER Alert plan is in place and functioning effectively to provide swift and decisive public alerting in the event of a child abduction. AACs also play a critical role in developing and delivering outreach and training for all law enforcement agencies in their state and/or regions to ensure AMBER Alert criteria, activation processes, tools, and technologies for activation are understood. When a child abduction is known or suspected, the AAC can provide many additional resources, as well as process and decisional support, to ensure the best approach to public alerting is used during the investigation.

It is also important to understand the role the AAC plays in connecting tribal communities with state and local resources in the event of a child abduction. The AAC has skills and experience, gained from multiple AMBER Alert activations, that will provide invaluable support to tribal partners. Accordingly, the AAC is a critical resource available to work with tribes and

AMBER Alert partners in the state to ensure they are prepared to handle a child abduction case through collaboration, joint training, and education.

The following includes additional responsibilities many AACs perform as the state or regional AMBER Alert coordinator:

- Coordinate and enlist AMBER Alert partners.
- Ensure AMBER Alerts are disseminated rapidly and effectively.
- Coordinate tests of AMBER Alert messaging and distribution technologies/systems.
- Provide training for law enforcement, the media, and other partners.
- Oversee after-action reviews and reporting.
- Promote public awareness of and education related to AMBER Alerts.

## AMBER Alert Training and Technical Assistance Program

One of the primary goals of the PROTECT Act is to ensure law enforcement has the skills and knowledge necessary to locate and safely recover missing and abducted children. As previously mentioned, the issuance of an AMBER Alert is the responsibility of state or local law enforcement and not the federal government. Although the Secretary of Transportation is responsible for the grant program relating to notification and communications systems along highways to foster recovery of abducted children (Pub. L. 108–21, Title III Subtitle A, Sec. 303(a)), the Attorney General is charged with implementing a grant program for support of AMBER Alert communications plans.

In response to the PROTECT Act, OJJDP established the AMBER Alert Training and Technical Assistance Program (AATTAP) to enhance the national AMBER Alert network and provide support to state AACs. Due to the limited amount of funding appropriated for this part of the PROTECT Act, grant funding is provided on an annual basis to support the efforts of AATTAP. This approach—rather than providing small, competitive awards to a portion or all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands—has allowed DOJ to broaden the reach of the available training and technical assistance required by law enforcement to execute their AMBER Alert plans.

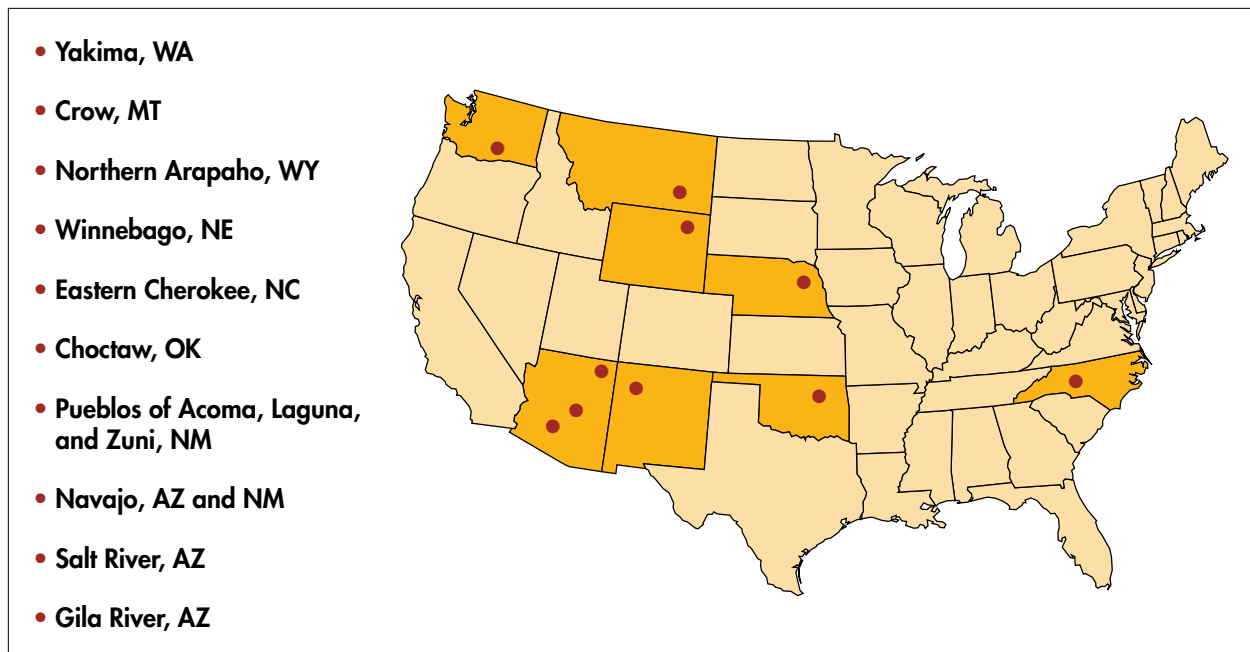
In keeping with its mission, AATTAP works to safely recover missing, endangered, and abducted children through the coordinated efforts of law enforcement, the media, transportation, and other partners who rely on training and technology to enhance response capacities and increase public participation. Since 2003, AATTAP has played a critical role in improving law enforcement’s response to missing, endangered, and abducted children and has helped increase the rate of recovery.

## History of AMBER Alert in Indian Country

As OJJDP continued to support AATTAP as a means of providing effective training and technical assistance for law enforcement and other child protection officials throughout the country, the Office recognized the need for specialized training unique to Indian country. Tribal communities face challenges in developing and implementing comprehensive child abduction recovery plans. These challenges include a history of cultural intervention, the complexity of jurisdictional issues, a lack of centralized reporting and historical data, and a misunderstanding of Indian child welfare law outside of tribal borders.



**Figure 1. Ten Pilot Sites Identified Across the Country**



Tribes often have a shortage of critical resources, such as staffing and technology, which include call intake and case management software. Many lack access to criminal justice information systems needed to enter missing child and suspect information into national databases, such as the NCIC database. In addition, tribal law enforcement may need further infrastructure and equipment to support operational communications, as well as command and control capabilities for search operations.

In 2007, in recognition of the needs and gaps in Indian country, OJJDP launched the AMBER Alert in Indian Country Pilot Project, which provided an unprecedented opportunity for tribal communities to develop capabilities and capacity to respond to endangered, missing, and abducted children. The goal of the pilot project was to support the recovery of missing and abducted children by providing interoperability, infrastructure, and resources to meet

the specific needs of tribal communities. The 10 pilot sites identified across the country (see figure 1) underwent in-depth assessments of their preparedness, infrastructure, and capabilities to respond to endangered, missing, and abducted children.

The assessments found most tribes did not have adequate call intake and case management systems. Additionally, many faced infrastructure limitations, which made it impossible to create their own plan or collaborate with their state's AMBER Alert plan.

The pilot project also revealed that with the right training, resources, and protocols, tribal agencies were able to provide a response to reports of missing and abducted children that were as effective as the state or local agencies serving their neighboring communities. Furthermore, it demonstrated that the investigation of child abductions requires specialized training and ongoing preparation to keep procedures, equipment, and skills current.

**Figure 2. Twelve Necessary Components of AMBER Alert Plans**



As a result of these assessments, each tribe then participated in training focused on the 12 key components of an AMBER Alert plan, with an emphasis on improving competencies of tribal officers, implementing case management systems, developing policies and procedures for personnel, and involving community members in planned responses to child abduction reports. Figure 2 includes the 12 key components for effective AMBER Alert programs. Each component is equally important and critical to the implementation and execution of a comprehensive AMBER Alert plan.

Child abductions are high-risk events yet they occur with low frequency, which magnifies the need for ongoing training, planning, and preparation. Since the conclusion of the AMBER Alert in Indian

Country Pilot Project in 2010, AATTAP has conducted 50 training and technical assistance projects in tribal communities, training more than 2,000 tribal child protection officials. However, Native American communities in the United States continue to be underserved by the AMBER Alert program. Tribal communities and state programs have the opportunity to collaborate on agreements and resolutions that would provide access to the AMBER Alert system for all tribes. By using lessons learned from the AMBER Alert in Indian Country Pilot Project, and assessing changes related to technology, capacity, and capabilities among the tribes since the pilot period, OJJDP is well positioned to successfully implement and establish AMBER Alert plans in tribal communities across the nation.

# National Survey of Federally Recognized Tribes

AMBER Alert exists in all 50 states because Congress took the steps to support state efforts to refine, standardize, and implement this work. Congress is now providing the same opportunity for tribes to access and participate in their state AMBER Alert programs, which have already saved 957 children as of April 2019.

This report includes an assessment of federally recognized American Indian tribes in relation to AMBER Alert in Indian country. This assessment included a survey of these tribes via telephone or through an online portal during a 3-week period in November 2018. The 12-question survey was developed with input and review from OJJDP, AMBER Alert tribal consultants, and AATTAP program staff with extensive experience in training and collaborating with tribal law enforcement. The survey involved 1 demographic set of questions, 10 forced-choice questions, and 1 open-ended narrative

question. It explored each tribal law enforcement department’s readiness, education and training needs, technological challenges, and specific obstacles encountered in the integration of state or regional AMBER Alert communication plans.

In preparation for the survey launch, researchers at Arizona State University compiled a list of federally recognized tribes provided by the Bureau of Indian Affairs (BIA) Office of Justice Services. Then, the researchers attempted to contact all 573 tribes on the list, excluding 229 Alaska Native villages,<sup>1</sup> tribes in Pub. L. 83–280 states (which do not have law enforcement agencies), the 10 tribes involved with the 2007 AMBER Alert in Indian Country Pilot Project, and tribes/pueblos in New Mexico because of the state’s involvement in the original pilot project.<sup>2</sup> As a result of this outreach, data from 100 federally recognized American Indian tribes were evaluated as part of this report.

<sup>1</sup> Alaska Native villages are unique in relation to AMBER Alert. Alaska state troopers provide AMBER Alerts statewide to all agencies and communities, including their Alaska Native villages.

<sup>2</sup> As part of this pilot project, New Mexico developed tribal and state agreements with all tribes/pueblos as part of a comprehensive plan to provide tribal access to their state AMBER Alert plan.

**Table 1. States of Participating Tribes**

State of Participating Tribes	Number of Participating Tribes	State of Participating Tribes	Number of Participating Tribes
Alabama	1	Minnesota	5
Arizona	9	Mississippi	1
California	7	Montana	2
Colorado	2	Nevada	5
Connecticut	2	New York	1
Florida	1	Oklahoma	13
Iowa	1	Oregon	3
Idaho	1	Rhode Island	1
Kansas	4	South Dakota	5
Louisiana	2	Texas	2
Massachusetts	1	Utah	1
Maine	1	Washington	17
Michigan	7	Wisconsin	5
<b>Total 100</b>			

## Data Analysis

For inclusion in this report, the survey team received and analyzed survey responses from 100 federally recognized American Indian tribes. The 100 tribes that participated in the National Survey of Federally Recognized Tribes were from the 26 states noted in table 1. Table 2 breaks down the professional roles held by the 100 individuals who completed the survey.

## Readiness

Twenty-five tribes reported that they currently have an AMBER Alert or other child abduction alert plan specific to only tribal lands, while 75 reported they did have an emergency plan or checklist to be used in the event of a child abduction.

There were a number of different combinations regarding what types of law enforcement were provided on tribal lands. Eighty-three respondents reported a tribal law enforcement agency with self-governance (Indian Self-Determination and Education Assistance Act, Pub. L. 93–638), 15 reported a combination of tribal law enforcement and BIA policing, and 2 received law enforcement exclusively from BIA.

The two tribes that identified BIA as their sole law enforcement services provider reported that they did not know whether their tribe participated in their state’s AMBER Alert plan. Twelve of the tribes with tribal governance and a tribal police department did not know if they used their state’s AMBER Alert plan; five noted they did not use it. Three tribes with both BIA and tribal law enforcement did not know if their tribe used their state’s AMBER Alert plan and two did not use it. This survey found that a tribe was more likely to use or know about their state AMBER Alert plan if they had their own tribal law enforcement department.

**Table 2. Professional Roles Held by Respondents**

Professional Roles Held by Respondents	
33 Police Chiefs	1 Communication Manager
7 Police Lieutenants	1 Community Policing Officer
8 Police Captains	1 Crime Victim Advocate
6 Police Sergeants	1 Deputy Sheriff
2 Detective Sergeants	1 Director of Public Safety
2 Detectives	3 Emergency Management Directors
2 Directors	1 Enrollment Specialist
3 Emergency Managers	2 Lead Dispatchers
2 Administrative Lieutenants	1 Sex Trafficking Investigator
3 Police Officers	4 Office Administrators
2 Communication Supervisors	1 Public Safety Director
2 Program Directors	1 Record Sergeant
1 Accreditation Manager	1 Sex Offender Registration and Notification Act (SORNA) Coordinator
2 Assistant Police Chiefs	1 Emergency Communications Supervisor
1 Tribal Chairman	1 Supervisor for Emergency Center
1 Police Commissioner	2 Tribal Administrators

While 86 tribes reported having access to their state AMBER Alert program, 76 reported they currently participate in their state AMBER Alert plan, and 17 respondents did not know if their tribe participated. Of the tribes that do not have a policy or plan in place that addresses how to respond to a missing child, it was also reported that they were currently not accessing their state AMBER Alert plan. These tribes were located in Arizona, Kansas, Montana, Nevada, Oklahoma, Rhode Island, and Utah.

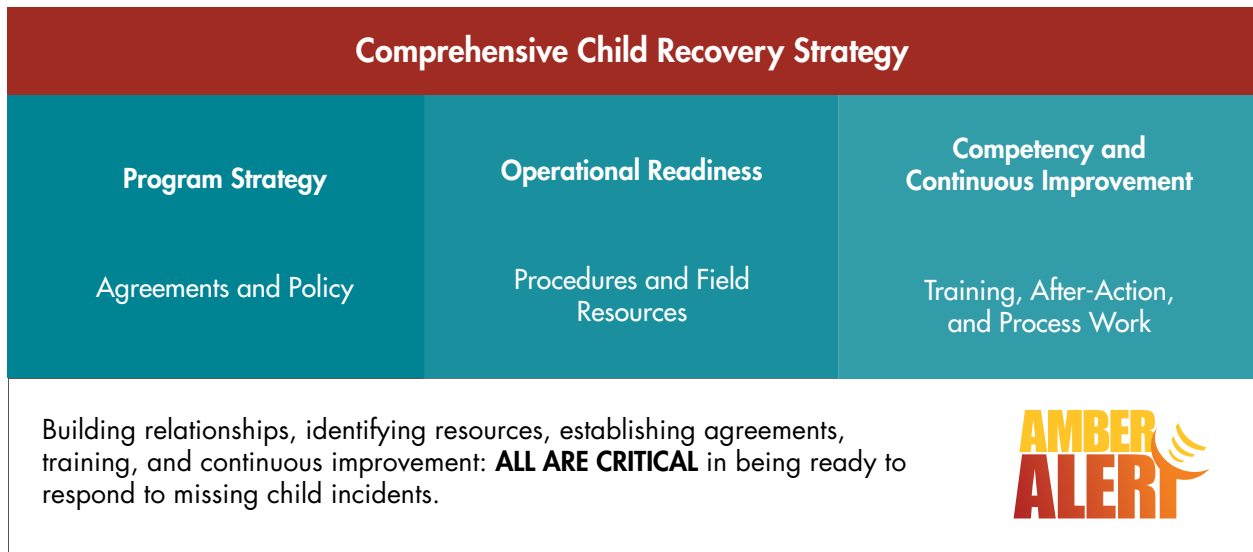
Based on the results of the survey, respondents confirmed that tribes require assistance in developing policies and procedures related to intake and dissemination of an AMBER Alert. In some cases, this can be as simple as connecting tribal authorities with the state AMBER Alert plan, while others may

need more indepth training and technical assistance on initial call intake, field response, and assessment of the circumstances surrounding the missing child to determine whether it meets the criteria for an AMBER Alert.

## Education and Training Needs

Typically, tribal communities have been only indirectly involved in the AMBER Alerts originating from state or regional AMBER Alert plans near tribal lands. Tribal officials recognize a significant need to educate the public about what the AMBER Alert does and does not do, so that community members have realistic expectations and an understanding of how to notify and assist authorities in the aftermath of an AMBER Alert. One tribe reported that new programs such as

**Figure 3. Comprehensive Child Recovery Strategy**



AMBER Alert in Indian Country only get implemented after an incident has occurred on their tribal land and hoped to see tribal leadership become more proactive in their support of law enforcement. Another tribe reported a general lack of understanding about how an AMBER Alert can be implemented on tribal land using their state’s AMBER Alert plan.

Forty-seven tribes reported their tribal community had received training on the AMBER Alert plan, with 53 tribes reporting they had not received training on the AMBER Alert plan.

Fourteen tribes reported they would like assistance in accessing their state’s AMBER Alert plan. Nineteen tribes responded that one of their challenges to accessing and using their state’s AMBER Alert plan was that they did not know how to access the plan. Another 19 tribes identified that a challenge to accessing their state AMBER Alert plan was that they lacked training on AMBER Alert in their community. Three tribes reported their tribal community leadership does not support the implementation of the AMBER Alert plan. One tribe commented on the need to have the AMBER Alert training designed specifically to include issues present on tribal land with the complex challenges faced by the lack of resources and jurisdiction issues.

Specific AMBER Alert plan trainings identified by participants in the assessment included how to connect to their state AAC, how to develop a checklist, trainings provided specifically to their social services and law enforcement about how to engage the AMBER Alert plan, and tribal-specific AMBER Alert concerns and actions.

The contributors to this report, as well as past participants in AATTAP training events related to Indian country, have identified a need for tribal-specific training on the critical elements of a comprehensive child recovery strategy. A comprehensive child recovery strategy is a multifaceted approach to responding to the child abduction or endangered missing event, of which the AMBER Alert is one part of the strategy. The Comprehensive Child Recovery Strategy also stresses critical concepts such as training, policy, readiness, and oversight (see figure 3).

## Technological Challenges

A common theme among tribes is the need for an information dissemination portal to issue AMBER Alerts, which will help to reduce response times and engage the community in efforts to locate and

**Table 3. Challenges Preventing Tribes From Accessing the State AMBER Alert Plan**

Challenges Preventing Tribes From Accessing the State AMBER Alert Plan	Percent of Respondents (N = 100)
Education and Training Needs: Lack of training in the tribal community on the AMBER Alert program	51%
Education and Training Needs: Tribes do not know how to access the state AMBER Alert plan	19%
Readiness: Tribes do not have a memorandum of understanding	18%
Readiness: Tribes do not have access to the state AMBER Alert plan	17%
Specific Obstacles: Tribes reported lack of staff to support the AMBER Alert plan	14%
Readiness: Tribes do not have contact information for their state AMBER Alert coordinator	14%
Technological Challenges: Tribes lack infrastructure (i.e., radio, broadcasting, road signs) to support the AMBER Alert plan	10%
Technological Challenges: Tribes lack technology infrastructure, including software and computers	10%
Specific Obstacles: Tribes lack community support with the implementation of the state AMBER Alert plan	3%

safely recover a missing child. Of the 100 survey respondents, 94 tribes reported they had access to the NCIC and 90 reported having access to the Criminal Justice Information Services (CJIS) system. Ten tribes noted a lack of technological resources as a challenge preventing their tribe from participating in their state’s AMBER Alert plan. One tribe noted their police department had only three computers. Ten tribes identified a lack of infrastructure involving radio, broadcasting tools, and road signs to support an AMBER Alert on tribal lands.

### Specific Obstacles

As part of this survey, respondents from the 100 participating tribes identified various specific obstacles related to the implementation of AMBER Alert in Indian country. Fourteen tribes reported being unable to participate with a state AMBER Alert plan because

they did not have contact information for their state AAC. Eighteen tribes cited a lack of a memorandum of understanding as a barrier to participation in their state’s AMBER Alert plan. Fourteen tribes identified staff shortages to support the AMBER Alert plan. Other obstacles identified by the tribes included having a broken or nonfunctioning radio system, no road signs, and the lack of a public information system to send information to their community.

In addition, survey participants mentioned having difficulties coordinating with their state AAC. Some also wondered how they could successfully participate in an AMBER Alert plan given their reservation’s large expanse of diverse terrain, which makes it difficult to contact a small number of people living within it.

Table 3 contains a list of challenges to accessing the state AMBER Alert plan and the corresponding number of tribes identifying them as their greatest hurdles.

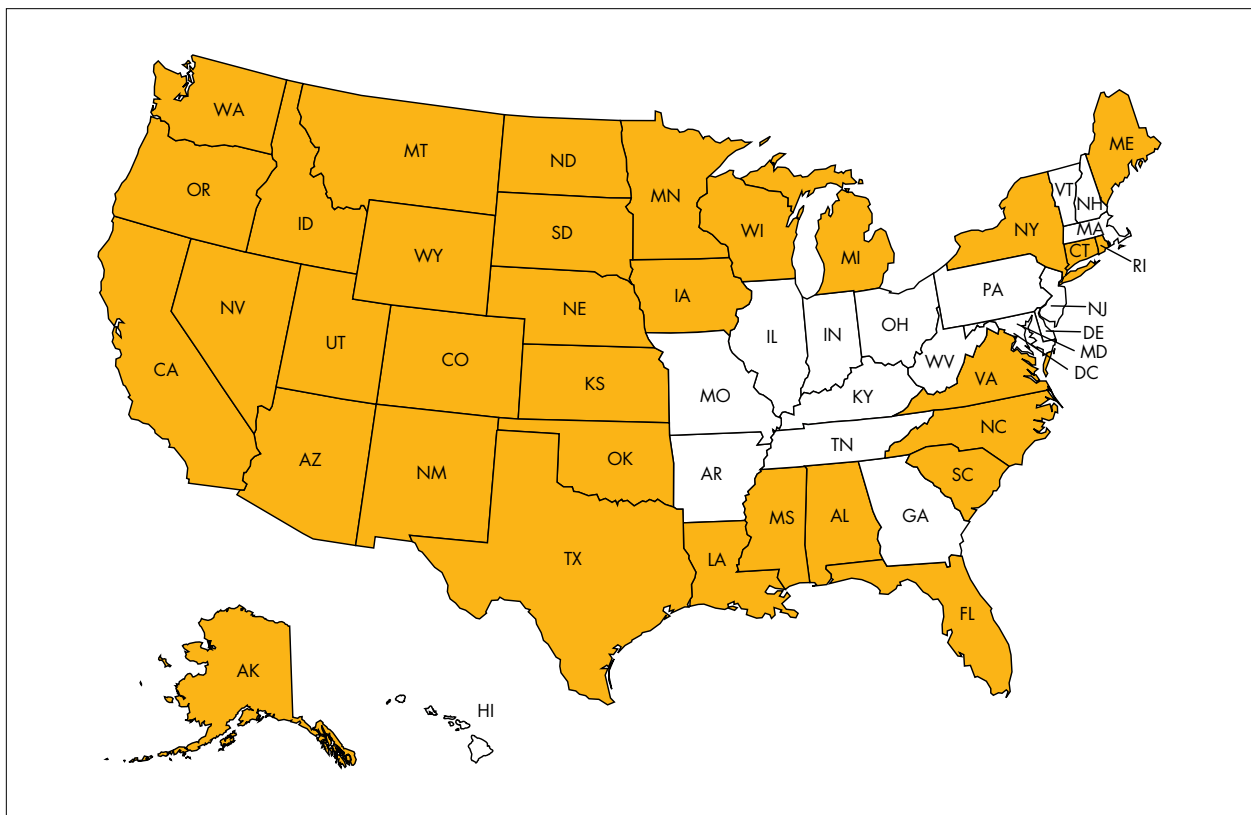
## National Survey of State AMBER Alert Coordinators

AATTAP sent a second, 10-question survey, the National Survey of State AMBER Alert Coordinators, to 34 state AACs who have at least one federally recognized tribe in their state. The AACs were asked to evaluate the readiness, education and training needs, technological challenges, and specific obstacles encountered by tribes that wish to integrate with their state or regional AMBER Alert communication plans. Thirty-three of the 34 AACs (97.1 percent) who received the followup survey responded (see figure 4).

OJJDP, AMBER Alert tribal consultants, and AATTAP program staff with extensive experience in training and collaborating with tribal law enforcement developed and/or provided input on the survey. It included one demographic set of questions, eight forced-choice questions, and one open-ended narrative question on the following topics:

- Federally recognized tribes' access to and/or participation in the state AMBER Alert plan.
- Access to the CJIS system.
- Challenges preventing tribes from accessing the state AMBER Alert plan.
- Agencies that provide law enforcement services to the tribes.

**Figure 4. States Participating in National AMBER Alert Coordinator Survey**





## Federally Recognized Tribes' Access to and/or Participation in the State AMBER Alert Plan

Of the 33 AACs who completed the survey, 28 (84.8 percent) indicated that federally recognized tribes in their state currently have access to the state AMBER Alert plan. Of those reporting access, 14 (42.4 percent) stated that all federally recognized tribes in their state currently participate in the state AMBER Alert plan, including 195 federally recognized American Indian tribes and more than 200 Alaska Native villages. It should be noted that Alaska is unique in that Alaska state troopers provide AMBER Alerts statewide to all agencies and communities, including their Native villages.

Other AACs noted they were unaware of whether the tribes in their state participated in their state AMBER Alert plan. Several respondents were uncertain of participation because they had never received a request for activation of an AMBER Alert from a tribe in their state. Others indicated that only some tribes in their state participate, and one AAC reported a tribe in their state was pending eligibility following completion of AMBER Alert process and procedures training.

## Access to the Criminal Justice Information Services System

Participants were asked about tribal access to the CJIS system in their state. Thirteen (39.4 percent)

respondents reported that all federally recognized tribes in their state have access to CJIS, while seven (21.2 percent) noted that only some of their states' tribes have access. Three (9 percent) AACs also indicated the tribe must meet special conditions before accessing their states' law enforcement telecommunication system (which serves as a front-end access point or switch to the CJIS-NCIC system). Conditions include being trained to use the NCIC system, completing NCIC and CJIS certification, and being a sworn police officer or nonsworn telecommunicator. The remaining respondents did not know, were unsure, or did not respond.

## Challenges Preventing Tribes From Accessing the State AMBER Alert Plan

AATTAP provided AACs a list of potential obstacles to accessing their states' AMBER Alert plans and asked them to select the most problematic challenges. Of the 26 (78.8 percent) AACs who responded to this question, half (50 percent) indicated a lack of AMBER Alert training in the tribal community as the biggest problem preventing integration. One respondent stated, "The high turnover of law enforcement officers and dispatchers make training personnel a constant challenge." Another indicated, "Training is needed for tribes on how the state AMBER Alert plan works." Others remarked, "There is a greater need for training that is specific to building relationships with the tribes" and "...any assistance to make in-person contact with each tribe and assistance in locating the right contacts for each tribe [would be helpful]."

**Table 4. AMBER Alert Coordinator Survey on Challenges Preventing Tribes From Accessing the State AMBER Alert Plan**

Challenges Preventing Tribes From Accessing the State AMBER Alert Plan	Number of Respondents	Percent of Respondents
Education and Training Needs: Lack of training in the tribal community on the AMBER Alert program	13	50.0%
Education and Training Needs: Tribes do not know how to access the state AMBER Alert plan	10	38.5%
Technological Challenges: Tribes lack infrastructure (i.e., radio, broadcasting, road signs) to support the AMBER Alert plan	9	34.6%
Readiness: Tribes do not have a memorandum of understanding or other agreement with the state AMBER Alert plan	8	30.8%
Specific Obstacles: Shortage of staffing to support the AMBER Alert plan in the tribal community	6	23.1%
Technological Challenges: Tribes lack technological resources (i.e., software, computers) to support the AMBER Alert plan	6	23.1%
Specific Obstacles: Tribes do not have a police department in their community	3	11.5%
Readiness: Tribes do not have contact information for their state AMBER Alert coordinator	3	11.5%
Readiness: Tribes do not have access to the state AMBER Alert plan	0	0.0%

Note: Not all 33 respondents answered each question. The table shows how many AMBER Alert coordinators responded to a specific question.

Table 4 shows the challenges and corresponding number of AACs identifying them as their greatest challenges.

## Agencies That Provide Law Enforcement Services to the Tribes

Of the 33 survey participants, 7 (21.2 percent) noted that at least 3 different agencies provide law enforcement services to tribes in their state.

Eight (24.2 percent) AACs reported at least 2 different agencies, 16 (48.5 percent) stated that only 1 agency provided law enforcement services, and 2 (6.1 percent) AACs did not respond. These agencies include BIA, tribal police department (Pub. L. 93-638)/self-governance, and others (i.e., the Federal Bureau of Investigation, county sheriff's office, highway state patrol).

Specifically, 14 (42.4 percent) AACs noted BIA, 23 (69.7 percent) reported tribal police department (Pub. L. 93-638)/self-governance, and 16 (48.5 percent) AACs stated "other."

# Next Steps and Recommendations

To support the expansion of AMBER Alert in Indian country, OJJDP will continue to collect data on the specific needs of tribes and states. The intent of this data collection effort is to collect responses from all federally recognized tribes in the United States.

- OJJDP will continue outreach to all federally recognized tribes in the upcoming year that did not respond, or those tribes for which insufficient contact information was available at the time of this report.
- OJJDP will work with BIA to contact officials at tribes with BIA-administered law enforcement agencies to assess the status of those communities that have not yet been surveyed.
- OJJDP will contact the 10 pilot sites and tribes/pueblos in New Mexico that participated in the 2007 AMBER Alert in Indian Country Pilot Project. The focus of this outreach will be to determine their current training and technical assistance needs to maintain their capacity and capabilities related to responding to endangered missing and abducted children.

## Recommendations

The findings of this assessment present a strong argument that tribal communities are committed to bringing AMBER Alert plans to their communities and jurisdictions. As part of the Ashlynne Mike AMBER Alert in Indian Country Act (Pub. L. 108–21), it is crucial for AACs and tribes to collaborate in the integration of tribal communities into the state or regional AMBER Alert communication plans. State AMBER Alert programs have strong experience in issuing and disseminating alerts and possess the existing infrastructure and resources to support the AMBER Alert plan.

To further support the implementation of the Ashlynne Mike AMBER Alert in Indian Country Act, OJJDP (through AATTAP) will do the following:

- Provide education and awareness on the AMBER Alert program and the legislation to tribal leaders, community members, and state AMBER Alert officials. This education will be critical to develop a better understanding of the benefits of tribal participation in the state or regional AMBER Alert plan.

- Conduct a series of meetings between tribes and their state and regional AMBER Alert plan partners, state AAC, and appropriate state officials. The focus of these meetings will be on identifying the AMBER Alert plan processes and procedures needed to successfully integrate tribal and state AMBER Alert plans.
- Provide the necessary training and technical assistance to tribes and states to ensure that tribal officials, first responders, and child protection officials have the capability and capacity to respond to reports of endangered, missing, and abducted children. Furthermore, these events will focus on effectively using the AMBER Alert plan to improve their ability to safely recover missing children.

Although many tribes and states are developing partnerships and cooperative agreements, others have yet to conduct initial outreach and work collaboratively to make AMBER Alert a reality in their communities. These facilitated meetings between states and tribes, as well as continued training and technical assistance specific to tribal communities, will help achieve the goal of the Ashlynnne Mike AMBER Alert in Indian Country Act, and give tribal communities access to this critically important resource proven to safely recover endangered missing and abducted children.

# Appendix A. Public Law 115–166 (April 13, 2018), Ashlynnne Mike AMBER Alert in Indian Country Act

To amend the PROTECT Act to make Indian tribes eligible for AMBER Alert grants.

## Section 1. Short title

This Act may be cited as the “Ashlynnne Mike AMBER Alert in Indian Country Act.”

## Section 2. AMBER Alert grants for Indian tribes

Section 304 of the PROTECT Act (34 U.S.C. 20504) is amended—

(1) by amending subsection (a) to read as follows:

(a) Program required—

The Attorney General shall carry out a program to provide grants to States and Indian tribes for—

(1) the development or enhancement of programs and activities for the support of AMBER Alert communications plans; and

(2) the integration of tribal AMBER Alert systems into State AMBER Alert systems.

(2) in subsection (b)—

(A) in paragraph (3), by striking “and” at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

(4) the integration of State or regional AMBER Alert communication plans with an Indian tribe; and

(3) in subsection (c)—

(A) by striking “The Federal” and inserting the following:

(1) In general—

Except as provided in paragraph (2), the Federal; and

(B) by adding at the end the following:

(2) Waiver of Federal share—

If the Attorney General determines that an Indian tribe does not have sufficient funds available to comply with the Federal share requirement under paragraph (1) for the cost of activities funded by a grant for the

purpose described in subsection (b)(4), the Attorney General may increase the Federal share of the costs for such activities to the extent the Attorney General determines necessary;

- (4) in subsection (e), by striking “for grants under” and inserting “and standards to improve accountability and transparency for grants awarded under”;
- (5) by redesignating subsection (f) as subsection (g);
- (6) by inserting after subsection (e) the following:
  - (f) Definition of Indian tribe—

In this section, the term “Indian tribe” means a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).; and
- (7) in subsection (g)(1), as so redesignated—
  - (A) by striking “2004” each place it appears and inserting “2019”; and
  - (B) by striking “subsection (b)(3)” and inserting “paragraphs (3) and (4) of subsection (b)”.

### Section 3. Report to Congress

Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit a report evaluating the readiness, education, and training needs, technological challenges, and specific obstacles encountered by Indian tribes in the integration of State or regional AMBER Alert communication plans to—

- (1) the Committee on Indian Affairs of the Senate;
- (2) the Committee on the Judiciary of the Senate;
- (3) the Committee on Natural Resources of the House of Representatives; and
- (4) the Committee on the Judiciary of the House of Representatives.

# Appendix B. Tribes That Completed the Survey



Tribes		
Absentee-Shawnee Tribe of Indians of Oklahoma	Colorado River Indian Tribes of the Colorado Indian Reservation, Arizona and California	Coushatta Tribe of Louisiana
Alabama-Coushatta Tribe of Texas	Comanche Nation, Oklahoma	Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada
Blue Lake Rancheria, California	Confederated Salish and Kootenai Tribes of the Flathead Reservation	Grand Traverse Band of Ottawa and Chippewa Indians
Caddo Nation of Oklahoma	Confederated Tribes and Bands of the Yakama Nation	Hannahville Indian Community, Michigan
Cayuga Nation	Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians	Havasupai Tribe of the Havasupai Reservation, Arizona
Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota	Confederated Tribes of the Chehalis Reservation	Hoh Indian Tribe
Chickasaw Nation	Confederated Tribes of the Colville Reservation	Hoopa Valley Tribe, California
Chippewa Cree Indians of the Rocky Boy's Reservation, Montana	Confederated Tribes of the Goshute Reservation, Nevada and Utah	Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona
Chitimacha Tribe of Louisiana	Confederated Tribes of the Umatilla Indian Reservation	Iowa Tribe of Kansas and Nebraska
Citizen Potawatomi Nation, Oklahoma	Confederated Tribes of the Warm Springs Reservation of Oregon	Kalispel Indian Community of the Kalispel Reservation

Tribes		
Kaw Nation, Oklahoma	Mohegan Tribe of Indians of Connecticut	Prairie Island Indian Community in the State of Minnesota
Kickapoo Tribe in Kansas	Narragansett Indian Tribe	Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada
Kickapoo Tribe of Oklahoma	Nez Perce Tribe	Quileute Tribe of the Quileute Reservation
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin	Nooksack Indian Tribe	Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada	Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana	Red Lake Band of Chippewa Indians, Minnesota
Little River Band of Ottawa Indians, Michigan	Nottawaseppi Huron Band of the Potawatomi, Michigan	Round Valley Indian Tribes, Round Valley Reservation, California
Los Coyotes Band of Cahuilla and Cupeno Indians, California	Oglala Sioux Tribe	Sac and Fox Tribe of the Mississippi in Iowa
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota	Oneida Nation of Wisconsin	Sac and Fox Nation of Missouri in Kansas and Nebraska
Lower Elwha Tribal Community	Osage Nation	Saginaw Chippewa Indian Tribe of Michigan
Lower Sioux Indian Community in the State of Minnesota	Pascua Yaqui Tribe of Arizona	San Carlos Apache Tribe of the San Carlos Reservation, Arizona
Lummi Tribe of the Lummi Reservation	Passamaquoddy Tribe Indian Township	Sault Ste. Marie Tribe of Chippewa Indians, Michigan
Makah Indian Tribe of the Makah Indian Reservation	Pauma Band of Luiseno Mission Indians of the Pauma and Yuima Reservation, California	Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota
Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California	Pawnee Nation of Oklahoma	Skokomish Indian Tribe
Mashantucket Pequot Indian Tribe	Poarch Band of Creek Indians	Southern Ute Indian Tribe
Mashpee Wampanoag Tribe	Pokagon Band of Potawatomi Indians, Michigan and Indiana	Squaxin Island Tribe of the Squaxin Island Reservation
Miami Tribe of Oklahoma	Ponca Tribe of Indians of Oklahoma	St. Croix Chippewa Indians of Wisconsin
Miccosukee Tribe of Indians	Port Gamble S'Klallam Tribe	Stillaguamish Tribe of Indians of Washington
Mississippi Band of Choctaw Indians	Prairie Band of Potawatomi Nation	Stockbridge Muncie Community, Wisconsin



Tribes		
Suquamish Indian Tribe of the Port Madison Reservation	Upper Skagit Indian Tribe	Yerington Paiute Tribe of the Yerington Colony and Campbell Ranch, Nevada
The Seminole Nation of Oklahoma	Ute Mountain Ute Tribe	Yocha Dehe Wintun Nation, California
Tohono O'odham Nation of Arizona	White Mountain Apache Tribe of the Fort Apache Reservation, Arizona	Yomba Shoshone Tribe of the Yomba Reservation, Nevada
Tulalip Tribes of Washington	Yankton Sioux Tribe of South Dakota	Ysleta del Sur Pueblo
United Keetoowah Band of Cherokee Indians in Oklahoma	Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona	
Upper Sioux Community, Minnesota	Yavapai-Prescott Indian Tribe	



# Appendix C. National Survey and Report Team



The OJJDP-funded AMBER Alert Training and Technical Assistance Program (AATTAP) collaborated with Arizona State University's Office of Sex Trafficking Research on the *Implementation of the Ashlynnne Mike AMBER Alert in Indian Country Act of 2018* report. This joint project between OJJDP, AATTAP, and Arizona State University was supported by a team of national subject-matter experts on the topics of tribal law enforcement, emergency management, jurisdictional issues, and the AMBER Alert program. Team members who participated in the development of this report are as follows:

## **Dominique Roe-Sepowitz, MSW, Ph.D., National Assessment Team Leader**

Dr. Dominique Roe-Sepowitz is an associate professor in the School of Social Work at Arizona State University and the Director of the University's Office of Sex Trafficking Intervention Research. Dr. Roe-Sepowitz has 14 years of experience conducting research with complex populations. She received her master's and doctoral degrees in social work and is a researcher, professor, and forensic social work practitioner.

## **Jim Walters, Project Director**

Mr. Walters is the Program Administrator for the AMBER Alert Training and Technical Assistance Program, a U.S. Department of Justice initiative. Mr. Walters has more than 35 years of experience as a peace officer and military professional and more than 15 years of experience as a consultant to the AMBER Alert Training and Technical Assistance Program, where he has acted as the liaison for training and technical assistance to the AMBER Alert Initiative for Indian Country and the U.S. Southern Border Initiative. He was also part of the original AMBER Alert in Indian Country Pilot Project.

## **Melissa Blasing, MA, Project Coordinator**

Ms. Blasing is a Project Coordinator for the AMBER Alert Training and Technical Assistance Program and is responsible for the AMBER Alert in Indian Country Initiative. She has nearly 10 years of experience managing and facilitating the design and delivery of training and technical assistance for

state, local, and tribal law enforcement; nonprofit organizations; and other criminal justice practitioners. Previously, Ms. Blasing managed the National AMBER Alert Symposium for State AMBER Alert Coordinators and Clearinghouse Managers, the National Symposium on Tribal Child Protection, the AMBER Alert webinar series, the AATTAP Family and Survivor Roundtables, and product development for AMBER Alert course offerings.

## Project Team

- Kristen Bracey, MA, MSW, Associate Director of Research Implementation, Office of Sex Trafficking Intervention Research, Arizona State University.
- Hedi Bogda, Esq. (Minnesota Chippewa Tribe – Leech Lake Band), Associate, National Criminal Justice Training Center of Fox Valley Technical College.
- Laura Naranjo (Santa Clara Pueblo), Associate, National Criminal Justice Training Center of Fox Valley Technical College.
- Tyesha Wood (Navajo Nation), Associate, National Criminal Justice Training Center of Fox Valley Technical College.







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